

Appl. No. 09/872,197  
Amdt. Dated 12/20/2006  
Reply to Office action of October 31, 2006

RECEIVED  
CENTRAL FAX CENTER

DEC 20 2006

**REMARKS/ARGUMENTS**

This Amendment is in response to the Final Office Action mailed October 31, 2006. In the Office Action, claims 1-3, 5-7, 9-11, 13-15, 17-19, and 21-23 stand rejected under 35 U.S.C. § 102 and claims 4, 8, 12, 16, and 20 stand rejected under 35 U.S.C. § 103.

Applicants have amended independent claims 1, 9, and 17 to further clarify embodiments of the invention.

In particular, Applicants have amended the claims in light of the Examiner's suggestion to use more descriptive language as to the displaying of a plurality of different channel identifiers as set forth on page 9 of the Final Office Action.

Reconsideration in light of the amendments and remarks made herein is respectfully requested.

***Rejection Under 35 U.S.C. § 102***

Claims 1-3, 5-7, 9-11, 13-15, 17-19, and 21-23 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent No. 6,564,379 issued to Knudson et al. (hereinafter Knudson).

MPEP § 2131 provides:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). ... "The *identical invention* must be shown in as complete detail as contained in the ... claim." (Emphasis added). *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

Applicants respectfully submit that amended independent claims 1, 9, and 17 are not anticipated by Knudson.

For example, Applicants respectfully submit that Knudson does not describe or suggest the limitations of Applicants' amended independent claim 1, 9, and 17 generally related to:

Appl. No. 09/872,197  
Amdt. Dated 12/20/2006  
Reply to Office action of October 31, 2006

displaying an arrangement of a plurality of different channel identifiers simultaneously on the display device...selecting one of the plurality of different channel identifiers...and displaying a pop-up for the selected channel identifier on the display device while still displaying the arrangement of the plurality of different channel identifiers...

As shown in Figure 4 of Knudson, and as described at column 6, lines 26-63 of Knudson:

A conventional program guide browse display arrangement is shown in FIG. 4. Video for the current channel to which the user's set-top box is tuned (i.e., the current channel that the user is viewing) is displayed on the user's television screen 68. When the user presses a remote control cursor key, browse display 70 is provided as an overlay on top of screen 68. Initially, browse display 70 contains program listings information for the current channel and time (e.g., channel 6 and 10:30 AM), as shown on the upper screen in FIG. 4. If the user presses a cursor key, the video for the current channel that is displayed on screen 68 is not changed, but the program listings information in browse display 70 is changed to the next available channel (e.g., channel 7), as shown on the lower screen in FIG. 4. As indicated by arrows 72, the user may use cursor keys to browse listings for other channels and times without disturbing the video for the current channel that is displayed on screen 68. (Emphasis added).

Knudson describes a program guide having a single browse display 70 that is provided as an overlay on the screen, near the bottom of the screen, so that a viewer can watch video while cycling through channel program data contained in the overlay for the current channel or different channels.

As can be clearly seen in Figure 4, the single browse display 70 only contains an individual channel identifier (e.g., 6 KRMA or 7 KMGH) and a program listing for the individual channel (e.g., BIG COMFY COUCH or PORT CHARLES). As described in Knudson, by using a browse display that includes only one channel identifier, the rest of the video on the screen can be watched.

Knudson does not describe or suggest displaying an arrangement of a plurality of different channel identifiers simultaneously on the display device. In contrast, Knudson describes a single browse display that includes a single channel identifier along with program data for the individual channel.

Appl. No. 09/872,197  
Amtd. Dated 12/20/2006  
Reply to Office action of October 31, 2006

Further, Knudson does not describe or suggest selecting *one of the plurality of different channel identifiers* and displaying a pop-up for the selected channel identifier on the display device while still displaying the arrangement of the plurality of different channel identifiers.

Therefore, Applicants respectfully submit that Knudson, either alone or in combination with other cited references, does not describe or suggest the limitations of Applicants' amended independent claims 1, 9, and 17. Therefore, Knudson does not anticipate or render obvious Applicants' amended independent claims.

Accordingly, Applicants respectfully submit that amended independent claims 1, 9, and 17, and the claims that depend therefrom, should be allowed and passed to issuance.

Appl. No. 09/872,197  
Amdt. Dated 12/20/2006  
Reply to Office action of October 31, 2006

RECEIVED  
CENTRAL FAX CENTER

DEC 20 2006

**Conclusion**

In view of the remarks made above, it is respectfully submitted that pending claims 1-24 are allowable over the prior art of record. Thus, Applicants respectfully submit that all the pending claims are in condition for allowance, and such action is earnestly solicited at the earliest possible date. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application. To the extent necessary, a petition for an extension of time under 37 C.F.R. is hereby made. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such account.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 12/20/2006

By

Eric T. King

Reg. No. 44,188

Tel.: (714) 557-3800 (Pacific Coast)

**Attachments**

12400 Wilshire Boulevard, Seventh Floor  
Los Angeles, California 90025

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

I hereby certify that this correspondence is, on the date shown below, being:

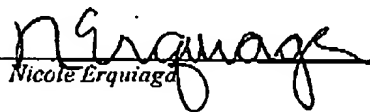
**MAILING**

☒ deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date 12/20/2006

**FACSIMILE**

☒ transmitted by facsimile to the Patent and Trademark Office.

  
Nicole Erquiaga

12/20/2006

Date